

## **AMENDMENTS TO THE CLAIMS:**

The listing of claims will replace all prior versions, and listings of claims in the application:

### **LISTING OF THE CLAIMS**

1. (Currently Amended) An animal trap for trapping an animal in the animal's burrow, the trap comprising:

a frame having an upper wall and at least ~~[[one]]~~ two side walls depending there from, a first opening in a first wall of said at least ~~[[one]]~~ two side walls through which an associated animal can enter and a second opening in a second wall of said at least ~~[[one]]~~ two side walls, spaced from the first opening through which the associated animal can see so that its burrow appears uninterrupted;

a striker mounted inside the frame such that no portion of the striker extends beyond an exterior surface of the frame;

a biasing member for biasing the striker away from the upper wall;

a set lever for retaining the striker adjacent the upper wall, said set lever comprises a pin;

a trigger operatively connected to the striker via the set lever and connected to the frame, wherein a movement of the trigger by a predetermined distance results in movement of the striker, and wherein the trigger is positioned in a manner such that the animal's burrow appears uninterrupted between the first opening and the second opening, wherein said set lever includes a first end pivotally mounted to the upper wall and a second end selectively contacting the trigger; and

a floor spaced from the frame upper wall and extending from adjacent the first opening to adjacent the second opening, wherein no components extend upwardly from the floor generally along a line that intersects the first opening and the second opening such that the animal's burrow appears uninterrupted between the first opening and the second opening.

2. (Cancelled).

3. (Original) The trap of claim 1, wherein the trigger comprises a trigger plate pivotally mounted to the upper wall.

4. (Original) The trap of claim 3, wherein the striker comprises a wire frame dimensioned to fit around the trigger plate.

5. (Original) The trap of claim 3, wherein the trigger plate includes an opening dimensioned to receive the head of a small animal.

6. (Currently Amended) The trap of claim 5, wherein the first opening in the trigger plate comprises a notch removed from a bottom portion of the trigger plate.

7-8. (Cancelled).

9. (Currently Amended) A method for setting a trap in an animal's underground run comprising:

positioning a trap along the animal's run, wherein the trap includes a housing having an entry opening, a second opening aligned with the entry opening, an upper wall, a striker biased toward a floor of the run, a set lever for setting the striker and a trigger for tripping the striker, the set lever including a first end pivotally mounted to the upper wall and a second end selectively contacting the trigger;

retaining the striker towards the upper wall with the set lever;

positioning the trigger in the path of the animal's run such that the animal's run appears uninterrupted between the entry opening and the second opening;

positioning a floor plate below the upper wall, said floor plate including a floor plate opening disposed adjacent ~~at least one of said entry opening and said second opening;~~  
and

inserting a pin into said floor plate opening such that said pin extends upwardly from said floor plate.

10. (Original) The method of claim 9, wherein the step of retaining further comprises positioning the set lever underneath the striker and contacting the trigger.

11. (Cancelled).

12. (Original) The method of claim 9, wherein the step of retaining the striker includes passing a portion of the striker to a side of the trigger.

13. (Original) The method of claim 9, further comprising positioning a pin adjacent the entry opening.

14-16. (Cancelled).

17. (Previously Presented) The apparatus of claim 22, wherein the trigger comprises a plate having an opening.

18. (Cancelled).

19. (Previously Presented) The apparatus of claim 22, wherein the set lever selectively contacts the striker inside the housing.

20. (Previously Presented) The trap of claim 1, wherein the floor includes an aperture aligned with said first opening in said at least one side wall.

21. (Previously Presented) The trap of claim 20, further comprising a pin received in the aperture, the pin being located adjacent said first opening in said at least one side wall.

22. (Currently Amended) An animal trap for trapping an animal in it's burrow, comprising:

a quadrilateral frame comprising:

a top wall,

a first end wall including an aperture,

a second end wall including an aperture,

a first side wall,  
a second side wall, and  
a stake post connected to at least one of said walls for mounting the frame in soil adjacent the animal's burrow;  
a bottom wall over which said frame is fitted to form an enclosed trap area in the animal's burrow;  
a pin for mounting the bottom wall in the soil adjacent the animal's burrow;  
a striker pivotally connected to said top wall;  
a biasing member for biasing the striker away from said top wall;  
a set lever for retaining the striker adjacent said top wall; and  
a trigger operatively connected to the striker via the set lever and pivotally connected to the frame, wherein a movement of the trigger by a predetermined distance results in movement of the striker.

23. (Previously Presented) The trap of claim 22, further comprising four stakes, one on each corner of said quadrilateral frame.

24. (Previously Presented) The trap of claim 22, wherein said bottom wall is narrower than said top wall.

25. (Previously Presented) The trap of claim 22, wherein said bottom wall is longer than said top wall.

26. (Previously Presented) The trap of claim 22, wherein said frame further comprises a first bottom wall section adjacent said first side wall and a second bottom wall section adjacent said second side wall.